

ENTERED

July 17, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

MIGUEL A FLORES

Petitioner,

VS.

UNITED STATES OF AMERICA

Respondent.

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MISC. ACTION NO. M-19-932

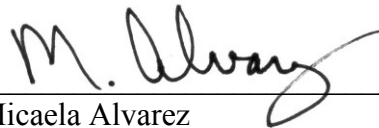
ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is Petitioner Miguel A. Flores' Motion for Immediate Return of Seized Property. On June 13, 2019, the Magistrate Court issued the Report and Recommendation, recommending that Petitioner's Motion for Immediate Return of Seized Property be dismissed. The time for filing objections has passed and no objections have been filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error.¹ Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby **ORDERED** that Petitioner's Motion for Immediate Return of Seized Property is **DISMISSED** without prejudice.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 16th day of July, 2019.



Micaela Alvarez

United States District Judge

¹ As noted by the Fifth Circuit, "[t]he advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Douglas v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1420 (5th Cir. 1996) (quoting Fed. R. Civ. P. 72(b) advisory committee's note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), as stated in ACS Recovery Servs., Inc. v. Griffin, No. 11-40446, 2012 WL 1071216, at *7 n.5 (5th Cir. Apr. 2, 2012)).